

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

In the United States District Court
For the Southern District of New York

Anthony George

Amended Complaint

NYSIS #: Order D7CV 1527(CBA)(LB)
(optional)

[Enter above the full name of
the plaintiff(s) in this action.]

v.

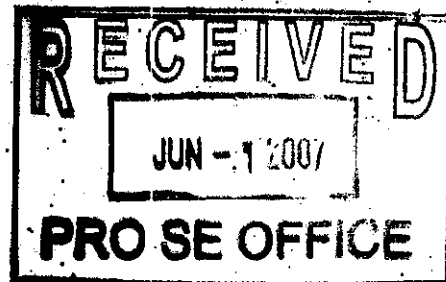
Department of Corrections

Officer Adams Shield 6602 C-95

Officer Lynch Shield 10069 C-95

Officer Benston Shield 10149 C-95

[Enter above the full name of all
of the defendant(s). Make sure those
listed above are identical to those
contained in Item III.]



I. Previous lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes [] No []

- B. If your answer to A is yes, describe each lawsuit in questions 1 through 7 on the next page. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants:

Captain Morris Shield 268-C95
Captain Javedue Shield 620 Queenshouse Court
Court officer JANE B. OR Police officer Shield 10713
Officer D. A. Z. Shield
Captain Wilson Shield 546-C95
Officer Deans Shield 1149C-73

2. Court [if federal court, name the district; if state court, name the county]:

3. Docket number: _____
4. Name of Judge to whom case was assigned: _____
5. Disposition [for example: Was the case dismissed? Was it appealed? Is it still pending?]

6. Approximate date of filing lawsuit: _____
7. Approximate date of disposition: _____

II. Place of present confinement: _____

A. Is there a prisoner grievance procedure in this institution?

Yes [] No []

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes [] No []

C. If your answer is YES:

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not: _____

III. Parties:

[In item A below, place your name and identification number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.]

A. Name of plaintiff: Anthony Geng

Address: 15-15 HAREN ST EAST ELmhurst NY 11370

[In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and places of employment of any additional defendants.]

B. Defendant S is employed as Collection

Officer Court Officer 10713

at _____

C. Additional defendants: Adrian 6602 Officer Lynch 10069 C95
Captain Morris 268 C-95

Captain JANE DOE 630 Queens House Officer DINA 8562 C-73

Captain WILSON 846 C-95

Officer DEAN 1149 C-73

Officer BENSTON 10149 C-95

[Make sure that the defendant(s) listed above are identical to those contained in the caption on page 1.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra 8 1/2 x 11 paper if necessary).

On or About Nov 22, 2006 at Courthouse in Queens
arrangement part AR3 Court Officer Correction Officer Police Officer
Force me to remove my religious head gear Violation of my
Civil Rights JANE DOE Officer Badge 10713 made me remove my
religious head gear before go into Court Room Violation Civil Rights

On Jan 4, 2006 Correction Officer Boston Shield 10149 G95
ask me to remove my religious head gear. To let them
search it. Then he said to remove all together in violation my
Civil Rights. He wrote me a ticket I am a Rastafarian.
I wear a religious too low. Rastafarian is a Constitutional Right
Captain Wilson Shield 546 Hearing Captain give me 15 days
in the Box for wearing my religious head gear.
Officer Adams By because he said remove my religious
head gear. Violation of my Civil Rights Officer Dyck
Shield # 10069 on many times tried to remove my
Crown Violation of my Civil Rights Captain Mous
Shield # 268. haul off me and put in a cell for 2
hours saying Rastafarian Rastafarian not allowed in
the department of Corrections On May 17+18 Officer
Diaz ^{Shield 18360} refuse to take me to the law unless I
remove my religious head gear Officer Adams Shield 1149
would not let me go to law unless I remove
my religious head gear. All officers violated my
Civil Rights. Allowing only muslims + Jews to wear
their head gear.

IV-A If you sustained injuries, describe them and state what
medical treatment was required and received.

V. Relief:

State briefly exactly what you want the court to do for you.

Make no legal arguments. Cite no cases or statutes.

I am suing the department of Correction for 50 million
dollars along with their officer's. For deny my Civil Rights
State Rights. For local discrimination on my religion
and Civil Rights Also State approve issue New York
State Constitution Article I Freedom of Worship Religious liberty

Along with the United States Constitution
Freedom To Practice Religion

Signed this May day of 23, 2007.

Signature and address of each plaintiff. [INCLUDE STATE OR
FEDERAL IDENTIFICATION NUMBER and NYSIS number [optional].]
(You must notify the court and defendants of any change in
your address.)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Anthony George

Plaintiff

-vs-

**REQUEST TO PROCEED
IN FORMA PAUPERIS**

Department of Correction Defendant(s)

I, Anthony George, am the plaintiff in the above entitled case. I hereby request to proceed without being required to prepay fees or costs or give security therefore. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefore, and I believe I am entitled to redress.

1. If you are presently employed:

- a) give the name and address of your employer
- b) state the amount of your earnings per month

None

2. If you are NOT PRESENTLY EMPLOYED:

- a) state the date of start and termination of your last employment
- b) state your earnings per month.

YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED.

None

3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

a) Are you receiving any public benefits?

☒ No. ☐ Yes, \$ _____

b) Do you receive any income from any other source?

☒ No. ☐ Yes, \$ _____

4. Do you have any money, including any money in a checking or savings account? If so, how much?

NO

5. Do you own any apartment, house or building, stock, bonds, notes, automobiles or other property? If the answer is yes, describe the property and state its approximate value.

☒ No ☐ Yes, _____

6. List the person(s) that you pay money to support and the amount you pay each month.

None

7. Do you pay for rent or for a mortgage? If so, how much each month?

None

8. State any special financial circumstances which the Court should consider.

Poor Person

I understand that the Court shall dismiss this case if I give a false answer to any questions in this declaration. In addition, if I give a false answer I will be subject to the penalties for perjury.

I declare under the penalty of perjury that the foregoing is true and correct.

Signed this May day of 23, 2007.

Anthony Lopez
(signature)

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

PRISONER AUTHORIZATION

The Prison Litigation Reform Act ("PLRA" or "Act") requires you to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained in any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350 has been paid, no matter what the outcome of the action.

SIGN AND DATE THE FOLLOWING AUTHORIZATION:

I, Anthony George, request and authorize the facility institution holding me in custody to send to the Clerk of the United States District Court for the Eastern District of New York, a certified copy of my prison account statement for the past six months. I further request and authorize the facility holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Eastern District of New York. This authorization shall apply to any facility into whose custody I may be transferred.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.

Anthony George
Signature of Plaintiff

May 23 2007
Date Signed

N.Y.S.I.D. # _____

Local Prison I.D. # 440 06-14297

Federal Bureau of Prisons I.D. # _____

rev. 4/06

United States District Court
Southern District of New York

PRISONER AUTHORIZATION

Mailed to Plaintiff by the Court on this date: _____

RE: Anthony George - v - Department of Corrections

NOTICE IS HEREBY GIVEN THAT THIS ACTION WILL BE DISMISSED UNLESS PLAINTIFF COMPLETES AND RETURNS THIS AUTHORIZATION FORM TO THIS COURT WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF THIS NOTICE.

On April 26, 1996, the Prison Litigation Reform Act ("PLRA" or "Act") was signed into law. This Act amends the *in forma pauperis* statute (28 U.S.C. § 1915) and applies to your case. Under these amendments, you are required to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained in any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350 has been paid, no matter what the outcome of the action.

SIGN AND DATE THE FOLLOWING AUTHORIZATION:

I, Anthony George, request and authorize the agency holding me in custody to send to the Clerk of the United States District Court for the Southern District of New York; a certified copy of my prison account statement for the past six months. I further request and authorize the agency holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Southern District of New York. This authorization shall apply to any agency into whose custody I may be transferred.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$250 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTION FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.

Anthony George
Signature of Plaintiff

May 23 2007
Date Signed

N.Y.S.I.D. # _____

Local Jail/Facility I.D. # _____

Federal Bureau of Prisons I.D. # _____

UNITED STATES DISTRICT COURT

**EASTERN DISTRICT OF NEW YORK
PRO SE OFFICE**

**U.S. COURTHOUSE
225 CADMAN PLAZA EAST
BROOKLYN, NEW YORK 11201**

**IMPORTANT NOTICE
REGARDING DISTRICT COURT
FILING FEES**

Please note that effective April 10, 2006,

the filing fee to commence a civil action
will increase to \$350

the filing fee to commence a notice of appeal
will increase to \$450

If you have any questions, please contact the Pro Se Office
718-613-2665

A

PRO SE OFFICE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
OFFICE OF THE CLERK
U. S. COURTHOUSE
500 PEARL STREET
NEW YORK, NY 10007

JAMES M. PARKISON
CLERK

INSTRUCTIONS FOR FILING A PRISONER'S CIVIL RIGHTS COMPLAINT

Attached are a complaint form and a declaration of poverty for an action under 42 U.S.C. § 1983. The instructions for completing them are as follows:

1. Caption: It is very important, if possible, that you state the first and last name of each defendant and badge number, if appropriate.
2. Contents: The form should be fully completed. It can be typewritten or handwritten. It must be legible. If you need more space to answer a question, use a separate sheet of 8½ x 11 paper and attach it to your complaint. You are required to give facts, not legal arguments or citations. Each plaintiff must sign the complaint with an original signature. No xeroxed copies of your signature can be accepted. The complaint need not be notarized.
3. Copies: You must send the court the original complaint plus two identical copies. For example, all three complaint forms must include the same information and if attaching exhibits to your original complaint, you must also make copies to attach to the two remaining copies that you are submitting to the Court. You should keep another copy for your records. Copies can be handwritten or typewritten but all copies must be identical to the original.
4. Fee: The filing fee is \$50.00, payable to the Clerk of Court, USDC, SDNY by certified check, bank check, money order or cash. No personal checks are accepted. If you pay the fee, the U.S. Marshal Service will not serve the defendants except by a court order. Service can be made by anyone over the age of 18 who is not a party to the action, after the court has issued a summons.
5. Inability To Pay The Fee: If you cannot pay the fee, you may apply to the court to proceed as a pauper. Complete the enclosed declaration of poverty and attach it to the original complaint. If your application is approved, you may proceed without paying the fee. If there is more than one plaintiff, each plaintiff must provide a separate declaration in support of request to proceed in forma pauperis and each plaintiff must complete the Prisoner Authorization form attached to the in forma pauperis form.

When you have completed the forms, mail the original and two copies to the United States District Court, SDNY, 500 Pearl Street, 2nd Flr, New York, New York 10007. Attention: Pro Se Clerk's Office.

JURY TRIAL

In some kinds of cases you are entitled to a trial by jury. However, you lose your right to a jury trial if you do not ask for it early enough.

If you want a jury trial you should write "JURY TRIAL DEMANDED" on your complaint to the right of the caption (on the first page of the complaint). You can also demand a jury trial within 10 days of service of the answer.

If you have already lost your right to a jury trial, the judge may let you have a jury trial anyway if you make a motion for a jury trial, explaining why you did not ask for one earlier. The judge does not have to grant this motion.

If you have any questions, contact the Pro Se Office at 212/805-0175.

rev. 4/02

C

To: *Pro Se* Office, EDNY

From: Rocky Marmolejos, *Pro Se* Office, (212) 805- 0175

Date: May 30, 2007

Re: George v. D.O.C., et al. 07 Civ. 1527 (CBA) (LB)

BROOKLYN OFFICE

The enclosed papers were mistakenly sent to the SDNY by plaintiff. The papers were received by the *Pro Se* Office on May 30, 2007.

If you have any questions regarding this matter, please feel free to contact me at the extension listed above.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
★ APR 30 2007 ★
BROOKLYN OFFICE

-----X
ANTHONY GEORGE,

Plaintiff,

ORDER
07 CV 1527 (CBA) (LB)

-against-

DEPARTMENT OF CORRECTIONS;
OFFICER ADAMS, Shield 6602, C95;
OFFICER JANE DOE; Shield 10069, C95;
OFFICER BENSTON, Shield 10149, C95;
CAPTAIN MORRIS, Shield 268, C95;
CAPTAIN JANE DOE, Shield 630, Queen
House; OFFICER JON DOE, Shield 11448,
C95; COURT OFFICER, Shield 10713
Queen Court; and, CAPTAIN WILSON,
576, C95,

Defendants.

-----X
BLOOM, United States Magistrate Judge:

Plaintiff's application to proceed *in forma pauperis* under 28 U.S.C. § 1915 is hereby granted. The United States Marshals Service is directed to serve the summons and complaint upon the defendants without prepayment of fees.

Consent to trial and decision on this case by a United States Magistrate Judge

The parties shall advise the Court by signing the enclosed form whether they jointly consent to trial and decision on this case by a United States Magistrate Judge (that is, the undersigned) pursuant to 28 U.S.C. § 636(c). Consent of the parties means that I may conduct all proceedings including trial of this matter and the entry of judgment in this case. The parties are free to withhold consent without adverse consequences.

If the parties consent, my decision will be entered as the decision of the Court and an aggrieved party may appeal directly to the United States Court of Appeals to the same extent and subject to the same conditions as if the decision had been rendered by a District Judge. If the parties do not consent to decision by a Magistrate Judge and a dispositive motion is referred, my decision shall be reported as a recommendation to the assigned District Judge.

Any party who disagrees with a Magistrate Judge's report and recommendation must file

written objections within ten days to preserve their right to appeal. Upon receipt of written objections from a party within ten days, the assigned District Judge shall review the proposed recommendations to which the objection is made. The District Judge may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. If a Magistrate Judge's report and recommendation is accepted by the assigned District Judge, the decision shall be entered and an appeal shall lie to the United States Court of Appeals.

This information regarding the availability of a Magistrate Judge to hear the entire case on consent of the parties is not meant to, in any way, interfere with the parties' absolute right to decision by a United States District Judge. This is an option available to the parties which may expedite adjudication of this case and preserve scarce judicial resources

SO ORDERED.

/S/

LOIS BLOOM

United States Magistrate Judge

Dated: April 26, 2007
Brooklyn, New York

JUDGE WOOD

07 CV

2516

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY GEORGE,

Plaintiff,

TRANSFER ORDER

-against-

DEPARTMENT OF CORRECTIONS
AND THEIR OFFICERS; OFFICER
ADAMS SHIELD 6602, C95; OFFICER
JANE DOE SHIELD 10069, C95;
OFFICER BENSTON SHIELD 10149, C95;
CAPTAIN MORRIS SHIELD 268, C95;
CAPTAIN JANE DOE SHIELD 630 QUEEN
HOUSE; JOHN DOE OFFICER SHIELD
11448, C-95; COURT OFFICER SHIELD
10713 QUEEN COURT; CAPTAIN
WILSON 576, C-95,

Defendants.

X

Plaintiff, presently incarcerated in Rikers Island Correctional Facility, brings the instant complaint *pro se* pursuant to 42 U.S.C. § 1983.¹ Plaintiff alleges that on January 23, 2006, at the courthouse in Queens County, New York, court officers and correctional officers required him to remove his religious headgear in violation of his civil rights. For the reasons set forth below, the Clerk of Court is directed to transfer the instant case to the United States District Court for the Eastern District of New York.

The relevant venue provision for an action under §1983 is 28 U.S.C. §1391(b), which provides as follows:

¹The instant complaint was received by this Court's *Pro Se* Office on February 26, 2007.